

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 13CR192 (RTR/WEC)

MARIANO A. MEZA,

Defendant.

DEFENDANT'S THIRD PRETRIAL MOTION:
MOTION TO SUPPRESS STATEMENTS

Mariano Meza, by counsel, moves to suppress the statements that he made to an officer with the U.S. Department of Homeland Security on August 27, 2013. Counsel has spoken with AUSA Gail Hoffman who agrees that an evidentiary hearing is necessary.

Mr. Meza was arrested on state charges and held in custody. Days later, he was interviewed by an agent at the jail from the Department of Homeland Security. At that time, he was not Mirandized and he gave inculpatory statements that will be among the principle evidence at trial. The reports received in the discovery do not provide enough facts for this Court to determine whether Meza was in custody and was entitled to *Miranda* warnings. Thus, the defense seeks an evidentiary hearing on the issue, with briefing to follow about whether this interrogation violated his Fifth and Sixth Amendment rights. Again, the parties do not dispute

any facts because the report provides so few, other than Meza was interviewed in the jail.

Therefore, the defense asks that this Court hold an evidentiary hearing, allow the parties to brief the issues surrounding the suppression of Mr. Meza's statements to the immigration officer, and then enter an order suppressing those statements.

Dated at Milwaukee, Wisconsin, this 6th day of December, 2013.

Respectfully submitted,

/s/ Julie K. Linnen
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Julie K. Linnen
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